

February 14, 1974

to act. So we make the laws in the State of Nebraska and in this body, but if you can't get a State Agency or people like to enforce them what good are they. What's a citizen supposed to do bring writ of mandamus against the State Agency to get them to enforce the law? That's what I'm getting at.

PRESIDENT: All right, Senator DeCamp.

SENATOR DE CAMP: I think Senator Syas is an example was the best proof in the world why we don't want the bill. He has cited a state agency, had evidence and they wouldn't act. Now anytime you set up agencies. This is the problem you have. Unless they have a blatant example or some particular interest they are reluctant to get involved. This same individual under laws we've passed in this state since then, could have gone to the small claims court, they could have filed a law suit for fraud. They could have done anyone of a dozen different things and probably got this merchant straightened out, or even put him out of business. The point I'm trying to make is when you remove individual responsibilities from human beings. When you do this and tell them everything is going to be taken care of by big brother or big father, you remove the incentive to correct the ills and the evils. So this person right now under the law has every remedy in the world to correct that situation. And the laws to exist for just about every other situation that I can think of. The only one that has really shown a problem in recent years has been this pyramid sales type operation, which is the very thing the Murphy Bill does correct. And so as I say, the Murphy amendment does solve a particular problem that apparently isn't getting solved any other way, and therefore justifies passage. But any extension beyond this is merely removing protection you might say already exists by putting the responsibility on some agency to watch out for the individual rather than letting the individual use the laws, the courts, and the systems that exist to help them now.

PRESIDENT: The Chair recognizes Senator Stahmer.

SENATOR STAHMER: Mr. President and members of the body. In listening to all the discussion, I have called to my mind the title of a book by the famous Catholic Theologian, T. DeShardeen; The title is, Who Speaks for Man. And that is a good question. God not only knows who speaks for man. God only knows who speaks for the little guy. Senator Proud said, are we to assume that all consumers are fools? Certainly, we are fools everyday. We buy things, I put on an undershirt this morning. They used to be they fit down under the shorts and they stay in, and now the damn things are made so short they stop right here. So I'm a fool. Right. Right. We're all fools. How do we know when we get this meat in the store whether it's got water in it or not. We don't know it until we get home and open it up. There is a whole panfull of frozen water in it. Certainly we are fools, but who is going to stop all this. Senator DeCamp would have us all go to a lawyer. Terrific, let's make the lawyers rich. I'm supposed to run to a lawyer because I got a short undershirt? My God, why don't we start organizing government to protect the little man. The little man has no power, he doesn't even know what is going on. He probably doesn't even know state government exists, I want to go back to Washington, then maybe he knows it exists. But if we are going to have to turn to a lawyer everytime we've got a short undershirt, God help us.